

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PAUL GALLAGHER,

Plaintiff,

vs.

ROBERT WILKIE, Secretary, U.S. Department
of Veterans Affairs;

Defendant.

8:20CV45

ORDER TO SHOW CAUSE

[Federal Rule of Civil Procedure 4\(m\)](#) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” [Fed. R. Civ. P. 4\(m\)](#).

Plaintiff filed the Complaint on January 28, 2020. (Filing No. 1). More than 90 days has elapsed since the Complaint was filed. To date, Plaintiff has not filed any return of service indicating service on the defendant, a waiver of service has not been filed, the defendant has not entered a voluntary appearance, and Plaintiff has not requested an extension of time to complete service. Accordingly,

IT IS ORDERED that Plaintiff shall have until **May 20, 2020**, to show cause why this case should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

Dated this 4th day of May, 2020.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge